

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL DOCKET NO. 5:04CV119-V

DONALD L. SAGER, and
PAULA K. SAGER,
Plaintiffs,

v.

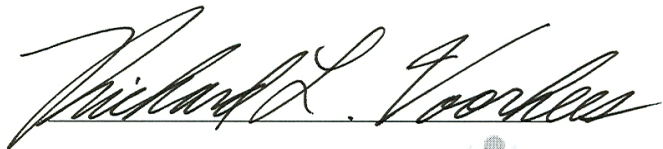
ALABAMA MOTOR EXPRESS, INC., and
MICHAEL LEE TAYLOR,
Defendants.

ORDER

THIS MATTER is before the Court upon Plaintiffs' Motion To Set Trial For A Date Certain, filed April 6, 2006; and Defendants' Response Joining In Plaintiffs' Motion, filed April 10, 2006. (Documents #19 and #20) For the reasons stated within the parties' respective filings, namely, to accommodate out-of-state counsel and the coordination of multiple out-of-state witnesses, the parties' motions will be granted.

IT IS, THEREFORE, ORDERED that the parties' joint request for a peremptory trial setting is hereby **GRANTED**. Accordingly, this case is designated as **Trial #1** for purposes of the May 1, 2006 "mixed" term¹ in the Statesville Division. Calendar Call will be held on **Monday, May 1, 2006 at 10:00 AM**. A brief pretrial conference shall be conducted following Calendar Call. Jury selection shall commence on **Tuesday, May 2, 2006, at 9:30 AM**. Plaintiff should be prepared to begin the presentation of evidence immediately following *voir dire*.

Signed: April 17, 2006



Richard L. Voorhees
Chief United States District Judge



¹ The Court's "mixed" term includes both civil and criminal cases for trial.